IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 388 of 2004

SHAMSHER SINGH
V/S
JAVED

Mr. OM MEHTA, for the appellant / petitioner

Mr. RR NAGORI, for the respondent

Date of Order : 16.10.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

The findings recorded by the learned courts below are pure finding of fact, and are not vitiated on any of the grounds available under Section 100 C.P.C. The appeal is, therefore, dismissed summarily. However, learned counsel for the respondent undertakes that in view of the fact that premises were let out for the purpose of running the business of Bharbhunja (baking whole grains), he would provide appropriate outlet for smoke emission eminating from the furnace while making further construction.

(N P GUPTA),J.

/Sushil/